

Case No. F7571(V)

REMARKS

Reconsideration of the application is respectfully requested in view of the following remarks.

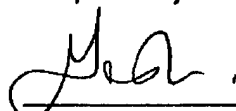
The present invention is directed in claim 1 to a pourable, water continuous frying composition which is an emulsion having a specified Bostwick value, comprising more than 50 and up to 80 wt% fat, 0.1 to 5 wt% salt, and 0.05 to 2 wt% lecithin as anti-spattering agent, 0.35 to 5 wt% of at least one specified emulsifier, an optional biopolymer at a specified level, the fat being dispersed in a water phase as droplets having an average droplet size of less than 8 microns. In claim 10, the invention is directed to a process for preparing a water-continuous frying composition.

The Office points to no teaching in PAJ of a water-continuous emulsion having the recited fat contents. The Office attempts to remedy the deficiency of its reference by indicating that the PAJ product will be added to oil. Even if the PAJ product is added to oil, that does not suggest that a water continuous emulsion having the recited oil levels will be formed. If the Office is relying on its technical expertise to reach the conclusion that addition of oil to the PAJ product will result in the water continuous frying composition with recited fat levels of the present invention, it is requested that the Office provide an affidavit explaining the basis for its conclusion. At least in the absence of such an affidavit, it is respectfully requested that the application be allowed.

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In view of the foregoing, it is respectfully requested that the rejections be withdrawn.

Respectfully submitted,



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